

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

MEMPHIS LIGHT, GAS, & WATER
DIVISION,

Plaintiff,

v.

TRAVELERS CASUALTY & SURETY
COMPANY OF AMERICA,

Defendant.

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No. 2:24-cv-02384-SHL-tmp

**ORDER DENYING DEFENDANT’S MOTION TO STAY LITIGATION AND
GRANTING DEFENDANT’S UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE ANSWER OR RESPONSE TO COMPLAINT**

Before the Court is Defendant Travelers Casualty & Surety Company of America’s (“Travelers”) Motion to Stay Litigation, or Alternatively, for an Extension of Time to File Answer or Response to Complaint, filed July 29, 2024. (ECF No. 15.) Travelers’ original deadline to respond was July 8. (ECF No. 13 at PageID 478.) The Court previously granted Travelers’ first motion for extension of time to file answer or complaint, creating a modified deadline of July 29. (See id.) Now, Travelers requests either a stay or an additional ten-day extension of time to respond. (ECF No. 15.)

Travelers argues that a stay is appropriate because a related contract dispute involving Memphis Light, Gas, & Water and Asplundh Tree Expert, LLC may resolve some or all of the claims in this matter, or at least limit the scope of the issues. (ECF No. 15 at PageID 487–88.) While that may be true, this Court rarely grants stays absent extraordinary circumstances. The Court can set sensible deadlines at the Scheduling Conference that can accommodate, as appropriate, the deadlines in a related case. Therefore, the motion to stay is **DENIED**.

In the alternative, Travelers requests a ten-day extension to respond to Plaintiff's complaint. (Id. at PageID 489.) The motion is unopposed. (Id.) Because adequate cause has been shown, the motion for extension of time is **GRANTED**. Travelers' deadline to answer or present other defenses or objections is now **August 8, 2024**. In the future, the Parties are cautioned not to wait until the day a filing is due to request an extension.

IT IS SO ORDERED, this 30th day of July, 2024.

s/ Sheryl H. Lipman

SHERYL H. LIPMAN
CHIEF UNITED STATES DISTRICT JUDGE